

## REMARKS

As indicated above, the claims have been amended so that they are now directed to time of flight/level measurement systems.

In the Official action dated August 22, 2002, the Examiner rejected claims 1 and 4 under 35 USC § 102(a) as being anticipated by U.S. Patent No. 6,097,306 (Leon et al.). The Examiner's rejection is respectfully traversed for the following reasons.

The Leon et al. reference teaches a hand held activator with a key pad for controlling a lock on the back of a vehicle. Leon et al. neither teaches nor suggests an intrinsically safe portable device for configuring the operation of a level measurement system, as claimed in claim 1 of the present application. The device described by Leon et al. does not include a wireless transmitter operative to transmit control signals to a level measurement system for controlling parameters of the level measurement system. Accordingly, the applicant respectfully submits that claim 1 of the present application is patentably distinguishable over the Leon et al. reference. Claim 4 dependent on claim 1 is similarly distinguishable over the Leon et al. reference.

The Examiner also rejected claims 2, 3 and 5 as being obvious in view of Leon et al. in combination with U.S. Patent No. 5,313,365 (Pennisi et al.) and/or U.S. Patent No. 5,166,238 (Nakano et al.). Pennisi et al. is directed to an encapsulated electronic package and Nakano et al. is directed to a resin composition. Accordingly, none of the additional references cited by the Examiner correct the deficiencies of the base reference and teach or suggest an intrinsically safe portable device for configuring the operation of a level measurement system as claimed in claim 1 and its dependent claims 2, 3 and 5. Accordingly, claim 1 of the present application and its dependent claims patentably distinguish over any combination of the applied references.

For the same reasons, the applicant respectfully submits that new claims 6-10 also patentably distinguish over the applied references.

Favorable reconsideration and allowance of this application is respectfully requested. Should the Examiner have any questions about this submission, please contact the undersigned at (703) 205-8000.

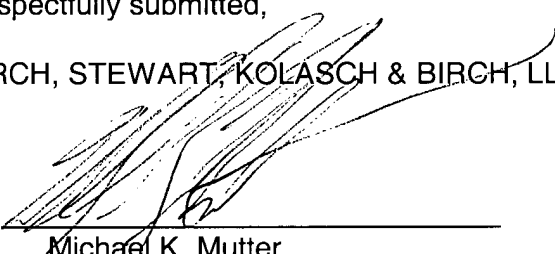
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$410.00 is attached hereto.

If necessary, the Commissioner of hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

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**WHAT IS CLAIMED IS:**

1. An intrinsically safe portable device for configuring the operation of [electronic process control equipment] a level measurement system, said [electronic process control equipment] level measurement system having a wireless communication receiver, said device comprising:

- (a) an enclosure;
- (b) an electronic circuit mounted in said enclosure[;] said electronic circuit including a low voltage power supply and a low power microcontroller for operating at a low voltage level to eliminate the incidence of sparking;
- (c) a keypad coupled to said electronic circuit; and
- (d) a wireless transmitter responsive to said electronic circuit and operative to transmit control signals to the wireless communication receiver on the [electronic process control equipment] level measurement system for controlling [the operation] parameters of the [electronic process control equipment] level measurement system.[;]
- [(e) said electronic circuit including a low voltage power supply and a low power microcontroller for operating at a low voltage level to eliminate the incidence of sparking.]

Claims 6-10 have been added.